

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN WASHINGTON GORDON,	:	CIVIL NO. 1:CV-01-0331
Plaintiff	:	(Judge Rambo)
v.	:	
N. GONZALEZ, <i>et al.</i>,	:	
Defendants	:	

ORDER

Before the court is Plaintiff's motion for enlargement of the discovery deadline and a trial continuance. On July 29, 2004, Plaintiff filed a similar motion based on the need to depose William Reich, M.D., and the unavailability of the supervisory attorney for the United States Penitentiary at Lewisburg. Said motion was granted. The discovery deadline was extended to August 27, 2004 and the trial was continued to the November 2004 list. To date, defense counsel has not provided Plaintiff with dates convenient for Ms. Cunningham to attend William Reish's deposition.

In addition to the request for continuance, the motion requests an enlargement of the entire case management schedule. What is of interest to the court is that this latter request is at the behest of defense counsel. If Defendants desire a request for enlargement of the case management deadlines, they should file their own motion setting forth the reasons therefore.

Under Federal Rule of Civil Procedure 11, the signing of any filing with the court certifies certain matters to the court that, if not met, are subject to sanctions. In the future, any relief sought from the court shall be filed by the party seeking relief.

IT IS THEREFORE ORDERED THAT:

- 1) The motion for enlargement of discovery is **GRANTED**.
- 2) Defendants shall provide a date certain in September for the deposition of William Reish, M.D.
- 3) The motion for a trial continuance is **DENIED**.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: August 26, 2004.